

Message Text

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65

ACTION EB-07

INFO OCT-01 EUR-12 NEA-10 ISO-00 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03

SS-15 NSC-05 /063 W

----- 030619

R 031412Z AUG 76 ZDK
FM AMEMBASSY KUWAIT
TO SECSTATE WASHDC 5900
INFO AMEMBASSY ATHENS
USINT BAGHDAD
AMEMBASSY LONDON
AMEMBASSY ROME

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ROME FOR RCAA/DWOR AND FAA/BURLINGAME.

E.O. 11652: N/A

TAGS: EAIR, KU

SUBJ: IMPROPER CLEARANCE, UNIVERSAL WEATHER AND AVIATION SERVICES.

REF: A) STATE 169399; B) ATHENS 6909; C) KUWAIT 3238 (NOTAL).

1. RE IMPROPER CLEARANCE MATTER REPORTED REF C, EMBASSY HAS RECEIVED DIPLOMATIC NOTE FROM GOK MINISTRY OF FOREIGN AFFAIRS (MFA) DATED JULY 18, 1976. NOTE RESTATES PROBLEM AS OUTLINED REF C. NOTE, AFFIRMING THAT AIRCRAFT CARRIES AMERICAN REGISTRATION, STATES THAT "THE MINISTRY WOULD APPRECIATE IT IF EMBASSY WOULD KINDLY ASK THE AMERICAN AUTHORITIES CONCERNED TO SETTLE MATTER URGENTLY AND INFORM US OF THE RESULTS."

2. EMBOFF DISCUSSED MATTER WITH V.K. MENON, CHIEF OF AIR TRANSPORT SECTION, DIRECTORATE GENERAL OF CIVIL AVIATION (DGCA), WHO CONFIRMED CONTENTS OF NOTE AND REF
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C. TO EMBOFF QUERY MENON ALSO REPLIED THAT

DGCA REQUESTED AND RECEIVED CONFIRMATION OF U.S. REGISTRATION FROM FAA AUTHORITIES, STATING THAT N SERIES (PLANE NO. IS N11SR) INDICATES A U.S. REGISTRERED CRAFT.

3. MENON ALSO SAID THAT DGCA WAS IN CONTACT WITH BOTH INSTANT BUILD AND PM LEASING (EMBASSY HAD EARLIER PROVIDED ADDRESS OF LATTER ON INFORMAL BASIS). FORMER REFUSED RESPONSIBILITY FOR MATTER, CITING DISPUTE WITH PM LEASING OVER TERMS OF CONTRACT. PM LEASING HAS EXPRESSED WILLINGNESS TO SEND CREW TO PICK UP LANE, AND REQUESTED INFORMATION ON LANDING AND OTHER CHARGES TO BE PAID. DGCA, IN ITS REPLY, NOTED EXISTENCE OF SUCH CHARGES BUT REFUSED TO SPECIFY EXACT AMOUNT. MENON EXPLAINED TO EMBOFF THAT DGCA DID NOT WISH TO COMMIT ITSELF BEFORE PM LEASING AGREES TO TAKE PLANE AWAY.

4. PROBLEM MAY LIE NOT WITH DGCA, WHICH HAS FIXED SCHEDULE OF LANDING, WAITING, AND LIGHTING CHARGES, BUT WITH KUWAIT AIRWAYS COMPANY (KAC), WHICH CALIMS UNSPECIFIED LOADING AND HANDLING CHARGES FOR PLANE (10,000 LBS OF TOTAL 15,000 LB LOAD WAS UNLOADED TO KUWAITI CONSIGNEE AL-SABAHYA COMPANY FOR TRADING AND CONTRACTING). GOK POLICY GENERALLY REQUIRES CARGO TO BE CARRIED EITHER BY KAC IF POSSIBLE OR BY OTHER REGULARLY SCHEDULED CARRIERS. ROYALTY AGREEMENTS EXIST BETWEEN KAC AND OTHER CARRIERS, AND IT IS POSSIBLE THAT KAC IS CLAIMING ADDED PAYMENT ON THIS BASIS.

5. MENON EXPRESSED SOME CONCERN ABOUT DIFFICULTIES THAT INCIDENT HAS CAUSED. REQUEST FOR CLEARANCE CAME ON A FRIDAY MORNING (LOCAL HOLIDAY) AND THUS COULD NOT BE ACTED UPON BEFORE PLANE ITSELF LIMITED OFFICIAL USE

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ARRIVED FRIDAY EVENING. MAIN PROBLEM CAUSED BY PLANE FOR DGCA IS STORAGE SPACE, WHICH IS QUITE LIMITED (ONLY 5-7 BOEING 707-SIZED PLANES CAN BE PARKED AT ONE TIME). CONSTRUCTION WORK RELATED TO NEW AIRPORT TERMINAL WILL LESSEN PARKING SPACE EVEN MORE. PRESENCE OF PLANE WILL COMPLICATE SCHEDULING OF SUCH WORK.

6. ACTION REQUESTED: IN ORDER TO REPLY TO MFA
NOTE, EMBASSY, IN ADDITION TO DRAWING
ON REFS A AND B AS APPROPRIATE, WILL NEED
FOLLOWING INFORMATION:

A) CONFIRMATION THAT SUPER CONSTELLATION
NO. N11SR IS INDEED U.S. REGISTERED
AIRCRAFT;
B) INDICATION AS TO WHAT (IF ANY)
RESPONSIBILITIES USG HAS WITH REGARD TO
DISPOSITION OF THIS AIRCRAFT AND
SETTLEMENT OF ANY CHARGES THAT MAY HAVE
BEEN INCURRED.

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Message Attributes

Automatic Decaptioning: X
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Concepts: AIRCRAFT, FLIGHT CLEARANCES, CONTRACTS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: N/A
Errors: N/A
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Handling Restrictions: n/a
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Review Markings:

Margaret P. Grafeld
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